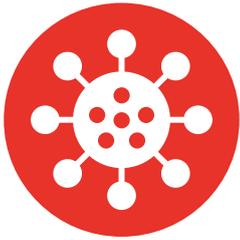




The Global State of Democracy IN FOCUS

Special Brief, January 2021



Taking Stock of Regional Democratic Trends in Europe Before and During the COVID-19 Pandemic

Key facts and findings

- The COVID-19 pandemic arrived in a largely democratic Europe. Only 4 countries in the region (10 per cent) are not democracies, while many of the democracies are high performing.
- Democracy in Europe, however, has in recent years experienced erosion and backsliding. More than half of European democracies have eroded in the last 5 years. In particular, 3 countries—Hungary, Poland and Serbia—have registered a more severe form of erosion, called democratic backsliding, with Hungary regressing on its democratic standards for the past 14 years.
- The pandemic has intensified these pre-existing concerns. The 3 backsliding countries in Europe have implemented a number of measures to curb the pandemic that are concerning from a democracy standpoint.
- The main democratic challenges caused by the pandemic in Europe pertain to the disruption of electoral cycles, curtailment of civil liberties, the use of contact tracing apps, the increase in gender inequality and domestic violence, risks to vulnerable groups, executive aggrandizement, protest waves, corruption cases and challenges in the relationship between local and national governance.
- Europe's democracies have mostly showed resilience, and opportunities for furthering the integrity of elections, for digitalization and for innovative social protests have arisen.

1. Introduction

Over the last decade, the European democratic landscape has faced numerous challenges, including democratic backsliding and erosion, the rise of extremist political parties, and political leaders showing increasingly authoritarian tendencies. This has often been referred to as the rise of illiberalism (Zakaria 1997). Some countries, such as Hungary, Poland, Serbia and Turkey, have witnessed severe declines in democratic quality, including declines in judicial independence, freedom of expression, media integrity and the effectiveness of parliaments. In Turkey, the backsliding has been so severe it can no longer be classified as a democracy and regressed into a hybrid regime status in 2018. Parties with a populist bent have gained relevance throughout the region, and even accessed government power in a number of countries in both Western, Southern, Central Eastern Europe and the Balkans.

According to the GSoD Indices for 2019, after North America (comprising Canada and the United States), Europe continues to be the region in the world with the largest share of democracies (40 democracies, or 91 per cent of countries in the region), including the largest share of high-performing democracies. Moreover, the average democratic performance in Europe is still firmly above the average of most other regions of the world and, after North America, it has the lowest share of non-democratic regimes. Russia and Turkey are the hybrid regimes in the region and Azerbaijan and Belarus are classified as authoritarian.

The sudden outbreak of the COVID-19 pandemic has brought an array of governance challenges to Europe which, as with the rest of the world, have had serious repercussions for democracy and human rights. In order to apply often-drastic measures to contain the spread of the pandemic within their constitutional and legal frameworks, between March and August 2020, 28 countries in Europe (64 per cent) declared a state of emergency (SoE) or put in place other forms of public emergency measures. For the remaining 36 per cent of countries, the measures have been applied without having to resort to emergency powers, utilizing existing constitutional and legal frameworks. The measures have, in most cases, temporarily curbed basic civil liberties,

About this *GSoD In Focus*

This *GSoD In Focus* provides a brief overview of the global state of democracy in Europe at the end of 2019, prior to the outbreak of the pandemic, and assesses some of the preliminary impacts that the pandemic has had on democracy in the region in 2020. This overview is part of a series of 5 *GSoD In Focus* Special Briefs that analyse global trends and those in several regions of the world (Africa and the Middle East, Asia and the Pacific, and Latin America and the Caribbean). It serves as an interim analysis in the gap year before the next issue of International IDEA's biennial *Global State of Democracy (GSoD) Report*, scheduled for the end of 2021.

The pre-pandemic global democracy assessment (section 2) is based on the Global State of Democracy (GSoD) Indices with data from 2019 (International IDEA 2020b). The methodology and conceptual framework of the GSoD Indices can be found in the [Methodology](#) section of *The Global State of Democracy 2019* (International IDEA 2019). The GSoD Indices are built around a conceptual framework of democracy developed by International IDEA and which centres on 5 core attributes considered essential for healthy democracies: (1) Representative Government; (2) Fundamental Rights; (3) Checks on Government; (4) Impartial Administration; and (5) Participatory Engagement. The 2019 GSoD Indices offer a valuable baseline for understanding the pre-pandemic democratic context. However, given the disruptive nature of the COVID-19 pandemic and the responses by governments to contain the spread of the virus, it is likely that the democratic status of some countries in the region will have changed as a result of more recent developments. Such changes will not be reflected in the GSoD Indices until the next update in 2021.

The review of the state of democracy during the COVID-19 pandemic in 2020 (section 3) is organized around these 5 attributes of democracy, and uses qualitative analysis and data of events and trends in the region collected through International IDEA's [Global Monitor of COVID-19's Impact on Democracy and Human Rights](#), an initiative co-funded by the European Union. The Global Monitor is a digital platform that tracks the democracy and human rights impacts of measures implemented to curb COVID-19 across 162 countries in the world. The Global Monitor is based on a [methodology](#) developed by International IDEA, and uses secondary sources and information from other trackers (International IDEA n.d.).

such as freedom of association and assembly and freedom of movement, and in some cases led to postponing elections. While restrictions have, in the majority of cases, been legitimate and necessary, some governments have responded with disproportionate measures that risk inflicting lasting damage to democratic principles, such as freedom of expression, equality of contestants in electoral campaigns, access to public information, independence of media, oversight of executive bodies by democratically elected legislatures, and protection of personal data and privacy. The non-democratic regimes in the region are among those that top the list of countries recorded as violating democratic standards to curb the spread of the virus. However, a number of backsliding or eroding democracies have also tried to curb the virus with measures that come at a high cost for democracy and human rights. Bulgaria, Hungary, Israel and Serbia stand out in this regard, but also to a lesser extent Poland, Slovakia, Slovenia and Ukraine.

Despite the unprecedented challenges brought forth by this crisis, this is also a testing moment for the democratic resilience of the region. There have been numerous, encouraging examples of innovative work by countries adapting their working modalities to ensure that their democratic institutions, such as parliaments and courts, can continue to operate despite the restrictions and be able to hold free, fair and safe elections. In many instances, the system of checks and balances has shown endurance, with parliaments and the judiciary pushing off the executive's creeping aggrandizement. And, despite the curtailments that are in place and in the lull of pandemic-induced quarantine life, civil society has shown not only resilience but also unabated vigour, with varying degrees of civil society-led initiatives in support of those affected by the pandemic. In addition, virtually every European country has witnessed protest activity related to the measures to curb the pandemic. However, it is important to note the diverse nature of these protests. In many instances, protests have come from a number of individuals defying scientific evidence and methods and embracing conspiracy theories. In other cases, such as Spain or Italy, fringe and extreme groups have used the pandemic to scapegoat minorities and advance their agendas, trying to benefit from a climate of confusion and uncertainty. Nevertheless, protests demanding advancement in democratic rights have taken place in countries such as Belarus—most notably—and Bulgaria, Hungary and Serbia.

The next section of this *GSoD In Focus* will seek to provide an overview of the state of democracy in Europe by the end of 2019, just before the pandemic broke out, based on data from the GSoD Indices 2019. In section 3, it will seek to 'take the pulse' of democracy during the pandemic, analysing some of the democratic trends observed and the likely effect of COVID-19-curbing measures on democracy 10 months into the pandemic. The 2020 data is drawn from the Global Monitor of COVID-19's Impact on Democracy and Human Rights (International IDEA 2020a). The pandemic analysis focuses on the key challenges to and opportunities for democracy observed during the pandemic. Some of these impacts directly relate to measures implemented to curb the pandemic. However, some developments may not be directly attributable to the measures but may have been exacerbated or deepened by the situation posed by the pandemic. The analysis will seek to disentangle and unpack these in a succinct overview geared towards policymakers, civil society organizations and other democracy stakeholders.

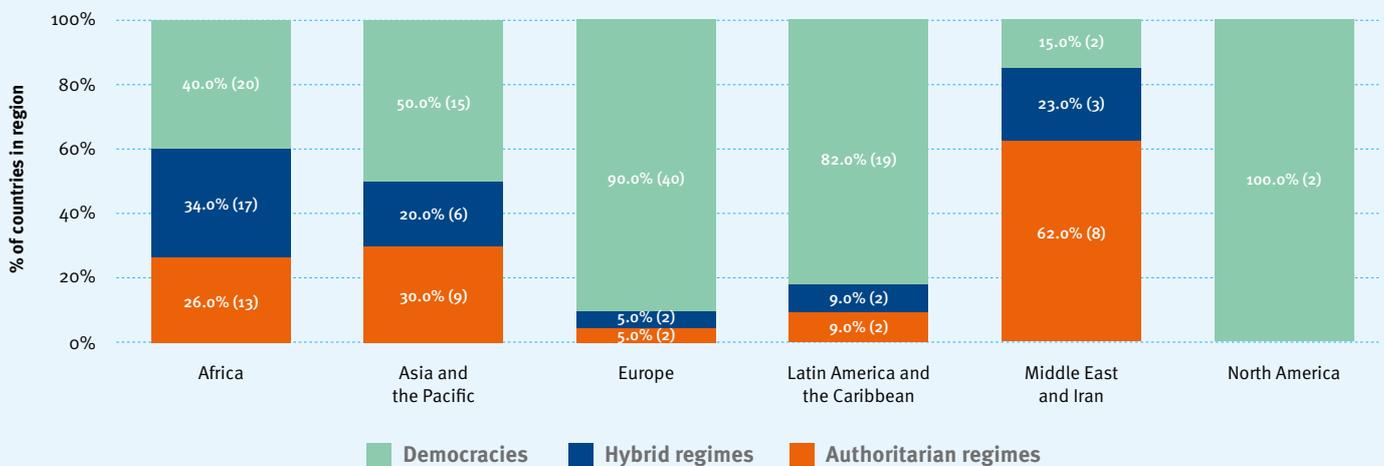
2. The democratic landscape in Europe prior to the COVID-19 pandemic



After North America, Europe has the largest share of the world’s democracies, with 40 countries (91 per cent) classifying as democracies in 2019.

FIGURE 1

Regime types by region 2019



Source: International IDEA, *The Global State of Democracy Indices, 1975–2019, 2020b*, accessed 19 October 2020.

- The largest share of third-wave democracies can be found in Europe and these have proven to be resilient.** Since 1975, a total of 28 countries in the region have transitioned to democracy, of which almost half (12) are new countries that gained independence following the end of the Cold War and the collapse of the Soviet/Communist bloc. Europe’s democracies have proven remarkably resilient. While 2 third-wave democracies (Albania and Georgia) backslid into hybridity for some time, they have since returned to democracy.
- Of the 16 high-performing democracies in the world (with high scores on all 5 democratic attributes), more than two-thirds (11) are in Europe. All of them are older democracies in Northern and Western Europe (Belgium, Denmark, Finland, France, Germany, Iceland, Netherlands, Norway, Sweden, Switzerland, United Kingdom).
- In some countries, such as Denmark, Finland, Latvia and the UK, an increasing number of initiatives give European citizens potential avenues for direct participation in public decision-making, including citizen initiatives at the local level, e-petitions and e-platforms.
- Armenia was the only country in Europe to transition from being a hybrid regime in 2017 to a democracy in 2018. It also recorded the highest number of statistically significant advances in Europe for 2019.
- Despite the democratic backsliding occurring in several countries in Europe, occasional resistance to such efforts provide beacons of hope for democracy in the region. In Poland in 2019, for example, significant social protests erupted against the alleged attack to the independence of the judiciary. In Hungary in 2019, the opposition won significant power in the local elections, including a victory in Budapest.
- Clean elections are the norm in Europe.** There have been 4 countries—Armenia, North Macedonia, Romania and Ukraine—that have seen significant improvements in their Clean Elections score. In total, 32 countries in Europe (72 per cent) scored highly in Clean Elections in 2019, 1 more than in 2018 after the addition of Ukraine.
- Parliament’s effectiveness in Europe is on the rise.** In 2019, 56 per cent of countries in Europe performed well in Effective Parliament, an 8 per cent increase from 2018, and a 12 per cent increase in comparison with 2014. In the last 5 years, 4 countries have seen significant improvements—Albania, Armenia, Spain and Ukraine. The improvement of parliament’s efficiency is a key aspect for the strengthening of democracy in Europe, as nearly 60 per cent of Europeans do not trust their national parliaments according to the Eurobarometer (European Commission 2019).
- Despite corruption scandals in Europe, the region is improving its scores for Absence of Corruption.** In 2019, only 5 countries in the region—Albania, Azerbaijan, Bosnia and Herzegovina, Russia and Turkey—had high levels of corruption, and worryingly, 2 of them—Albania, and Bosnia and Herzegovina—are democracies. Yet, 95 per cent of democracies in Europe have low or mid-range levels of corruption. Another important factor is the increasing lack of tolerance towards corruption in Europe. Corruption scandals have taken place in many European countries, such as Austria, Italy and Moldova, often linked with the financing of political parties and political campaigns.

Challenges to democracy

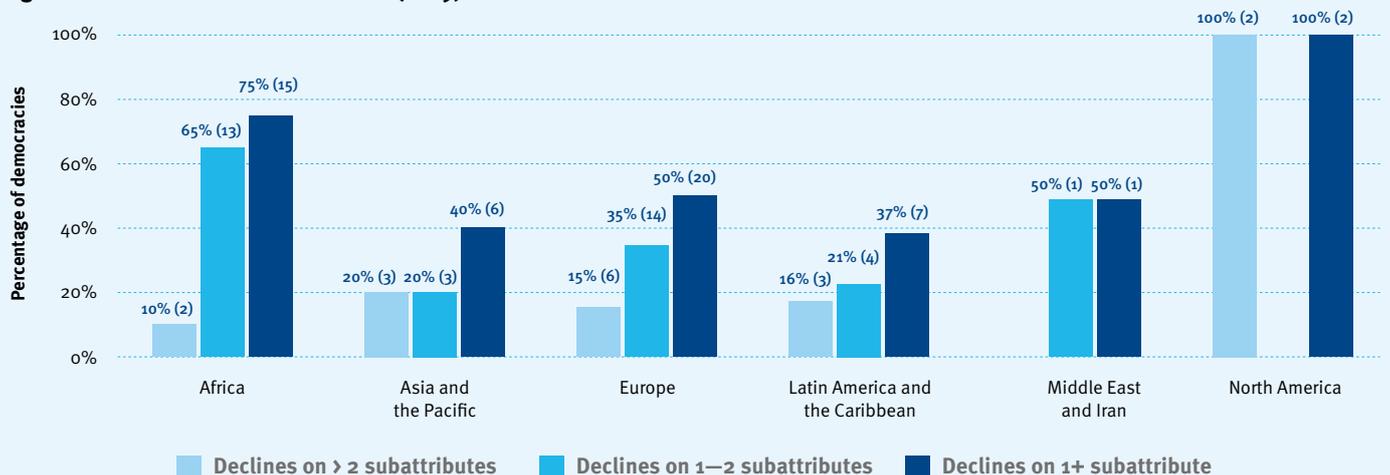
- **Although the largest share of countries in Europe are democracies, the region also hosts non-democratic regimes:** 2 hybrid regimes (Russia and Turkey) and 2 enduring authoritarian regimes: Azerbaijan and Belarus. Since the pandemic broke out, Belarus has faced a protest wave demanding democratic reform.
- **Despite the large number of democracies in Europe, the region has seen a decline in the quality of its democracies in the last 10 years.** The share of countries with high levels of Checks on Government, Civil Liberties, Media Integrity and Civil Society Participation has declined. Most democratic declines in Europe are related to weakening checks on government and a shrinking civic space, and are occurring in the wider context of a democratic erosion or democratic backsliding.
- **Democratic backsliding and the rise of illiberalism is a challenge in some European countries.** Hungary has been backsliding for 14 years, with gradual weakening of checks on government, a clampdown on civil liberties, and attacks on civic space and a free media. In Poland since 2016, judicial independence has been significantly weakened and the media landscape increasingly controlled by the government.
- **Democratic backsliding is often associated with populist parties gaining access to government.** The phenomenon of ruling political parties showing autocratic tendencies can be discerned in several countries in the region, particularly in Central and Eastern Europe. In these countries, ruling parties have skilfully used democratic rules to dominate democratic institutions (including the parliament, judiciary and media), and change the rules (e.g. electoral laws, judicial appointment procedures) with the purpose of maintaining hold on those institutions indefinitely (Bieber, Solska and Taleski 2019). Encroaching political interference in judicial matters, stifling of parliamentary opposition voices and the curtailment of civic space and media freedoms are common features of democratic backsliding. Other common aspects include weakening of judicial independence and judicial review institutions, centralization of power in the executive, side-lining legislatures and undermining the norms of democratic law-

making, and efforts to ensure long-term rule by stifling opposition and civil society (International IDEA, CoD and UNDP 2017: 75; Mechkova, Lüthmann and Lindberg 2017; Bermeo 2016).

- **Europe experienced a populist wave in the years preceding the outbreak of the pandemic.** Its origins can be traced back to several interacting factors, including economic and cultural globalization, which have transformed the social structure and political culture of many countries in the region. Political drivers of populism include reduced trust in political parties and a crisis of representation, as well as the fragmentation and polarization of the public sphere, further deepened by the emergence of new technologies and social media. Socio-economic drivers of populism include labour market transformation, an increase in domestic socio-economic disparities, the gap between citizens' expectations and what democracy can actually deliver, and disenchantment with democracy's perceived failure to deliver wellbeing for all.
- **The rise of non-traditional parties also reflects a malaise within mainstream political parties across most of Europe and particularly in Western European countries.** Non-traditional parties include populist, extremist and anti-establishment parties on both the left and the right, but also social movement-based parties and new parties occupying new spaces in the ideological spectrum. For instance, in Spain the dominant bipartisanship since the return of democracy in 1975 was broken, and 5 main parties currently dominate the Parliament, of which 2 have been described as having a populist bent—on both the left and the right. In France, the dominant party in Parliament and in Government did not exist 5 years ago, whereas in Germany the Greens are becoming the second party in most elections. Of concern is the steady rise of far-right parties in Europe. In May 2019, far-right parties had more than 10 per cent of the votes in 14 European countries. In most of these countries, these far-right parties were also in power or in coalition governments at the regional level (BBC News 2019).
- **More than half of the democracies in Europe (a total of 24) suffer from democratic erosion.** Third-wave democracies, such as Bulgaria, Croatia, Romania and Slovenia, are most affected, but some older high-performing democracies, such as Austria or the UK, have also seen declines in different aspects of their democratic quality over the past 5 years.

FIGURE 2

Regional trends in democratic erosion (2019)



Source: International IDEA, The Global State of Democracy Indices, 1975–2019, 2020b, accessed 30 October 2020.

- **Over the past decade, Europe has experienced a gradual decline in civil liberties.** The share of countries with high levels of Civil Liberties declined from 70 per cent in 2009 to 61 per cent in 2019. In the early 2000s, for the first time since the start of the GSoD Indices data set (1975), there was a sharp spike in the number of countries with significant declines in Civil Liberties. The deterioration was particularly seen in Central Eastern Europe and South Europe. In 2019, 8 countries had suffered statistically significant declines in Civil Liberties across Europe. However, 4 of these countries—Denmark, France, Norway and Slovenia—still perform well in Civil Liberties, even if their scores have suffered a significant decrease in the last 5 years .

FIGURE 3

Civil Liberties trends in Europe, 1975–2019



Source: International IDEA, The Global State of Democracy Indices, 1975–2019, 2020b, accessed 30 October 2020.

- Freedom of Expression has seen a downward trend in Europe, particularly in the last 5 years, with 8 countries experiencing significant declines on this indicator. Although, in 2019, a total of 55 per cent of countries in Europe saw high performance in Freedom of Expression, this figure was 64 per cent 5 years ago.

FIGURE 4

Percentage of countries showing high performance in Freedom of Expression in Europe, 2014–2019

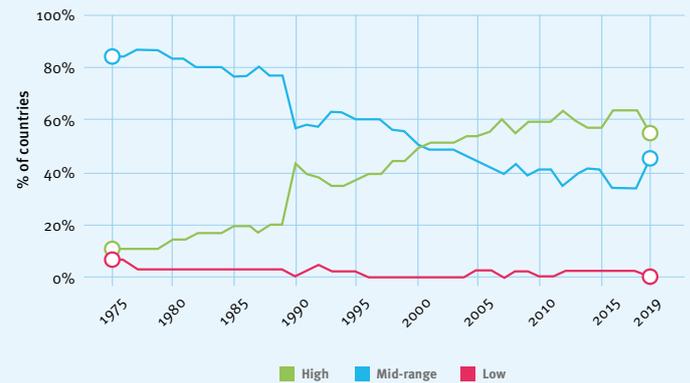


Source: International IDEA, The Global State of Democracy Indices, 1975–2019, 2020b, accessed 30 October 2020.

- **The GSoD Indices data shows that Europe’s performance on Gender Equality has plateaued considerably in the last 5 years.** In some countries, such as Croatia and Poland, there are downward trends in this aspect. Azerbaijan and Turkey are the 2 countries in the region that continue to score the lowest on Gender Equality.

FIGURE 5

Gender Equality trends in Europe, 1975–2019



Source: International IDEA, The Global State of Democracy Indices, 1975–2019, 2020b, accessed 30 October 2020.

- **Judicial independence keeps worsening among democracies in Europe.** The number of European democracies with high scores for Judicial Independence has decreased sharply. In 2019, 40 per cent of democracies in Europe had a high score in Judicial Independence, 28 per cent less than in 2014. Some countries, such as Czechia, Poland and the UK, do not score highly any more in Judicial Independence, and 4 democracies—Moldova, Poland, Romania and Sweden—have had significant decreases in their scores in the last 5 years, although Sweden still performs in the high range and among the top 25 per cent of countries in the world.
- **Civil society is gradually shrinking and losing its capacity to influence.** In 2019, only 12 democracies in Europe had high scores for Civil Society Participation, a 33 per cent decrease from 2014, when 40 per cent of democracies, or 16 countries, scored highly on this measure. Austria, Belgium, Cyprus and France have all declined from high to mid-range performance since 2014.

3. Democracy in Europe during the COVID-19 pandemic: Challenges and opportunities



3.1. Challenges to democracy

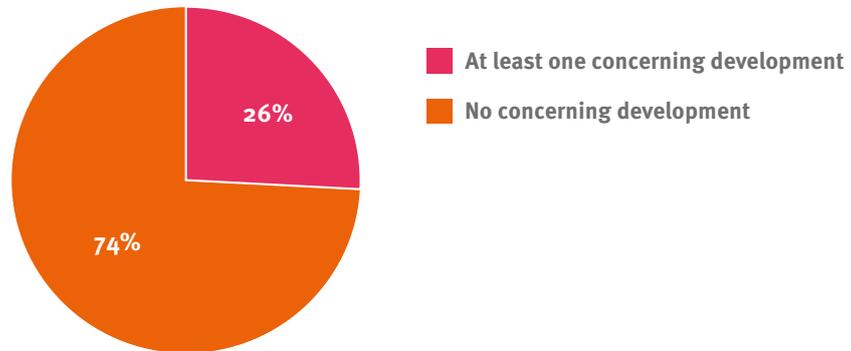
According to International IDEA's Global Monitor of COVID-19's Impact on Democracy and Human Rights (2020a), more than half the countries in the world have implemented measures to curb the pandemic that present concerns from a democracy and human rights perspective. 'Concerning' developments or measures are defined as those that *violate* human rights or democratic benchmarks because they are either disproportionate, unnecessary, illegal or indefinite. Developments or measures that are 'to watch', on the other hand, *may lead to such violations* if enforced or maintained over time (for the full methodology, see [International IDEA n.d.](#)).

Compared with other regions, Europe has experienced less democratic violations as a result of measures to curb the pandemic, being the region with the lowest share of countries with concerning developments from a democracy and human rights perspective during the pandemic. Yet, more than a quarter of countries (12) have implemented measures that are deemed concerning for democracy.

- Reflecting global trends, non-democratic regimes in Europe had more concerning developments, on average, while democracies had more developments to watch. The non-democratic regimes in Europe had considerably more (5 times as many) concerning developments than the democracies.
- As in other parts of the world, the aspects of democracy most affected by the pandemic are Freedom of Movement and Freedom of Association and Assembly, although Freedom of Expression and Media Integrity, as well as Personal Integrity and Security, are the areas with most measures of concern in the region.
- The 4 non-democratic regimes in the region (the authoritarian regimes of Azerbaijan and Belarus and the hybrid regimes of Russia and Turkey) implemented measures to curb the pandemic that presented concerns from a democracy and human rights perspective, as did 8 of the 40 democracies (or 20 per cent of them).
- The democracies with concerning developments were mostly those that were backsliding or eroding prior to the pandemic. Bulgaria, Hungary and Serbia stand out in this regard, but also to a lesser extent Poland, Slovenia and Ukraine. The remaining 2 countries—Israel and Slovakia—were the only democracies that had not recorded democratic declines in the 5 years prior to the pandemic but nonetheless have still implemented measures to curb the pandemic that present concerns from a democracy and human rights perspective.

FIGURE 6

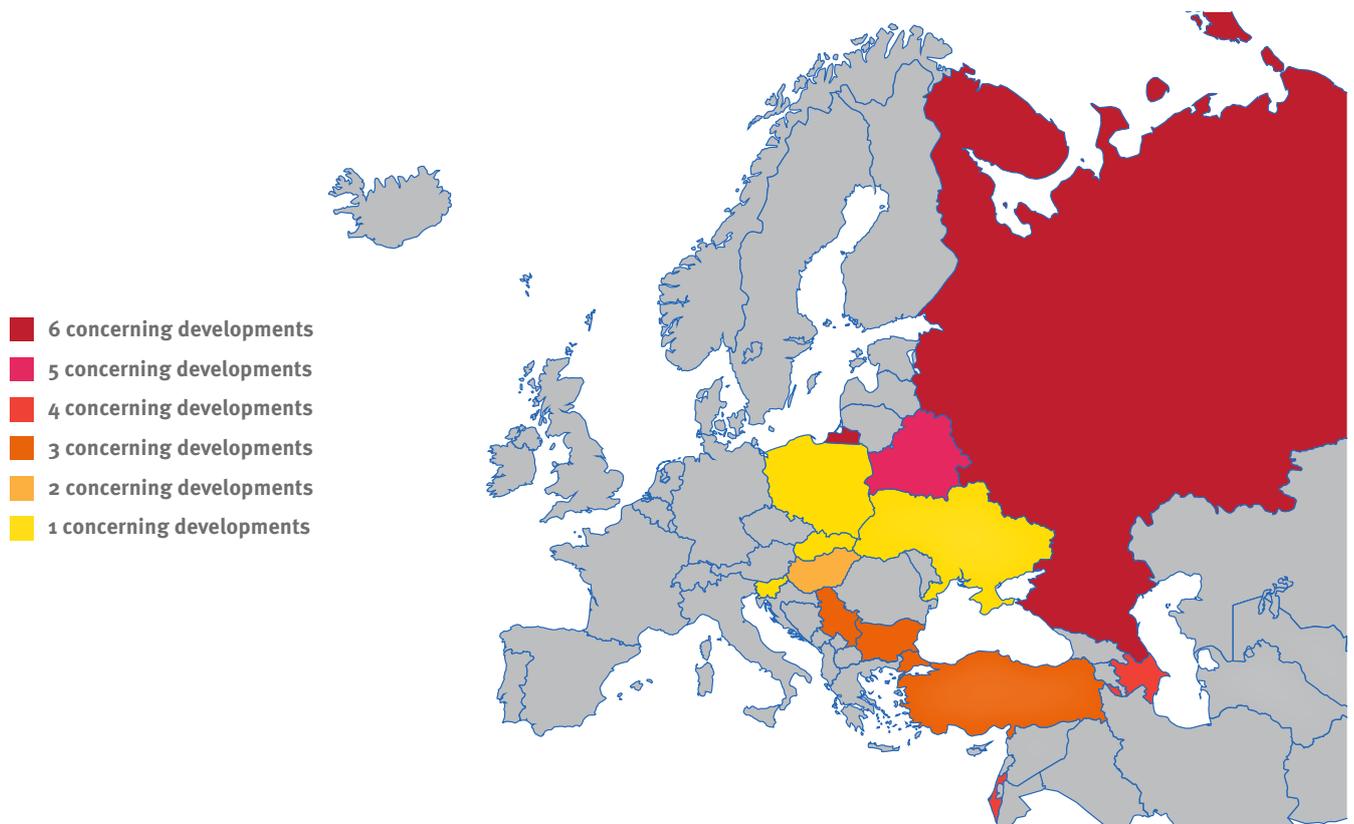
Percentage of countries in Europe with concerning developments



Source: International IDEA, Global Monitor of COVID-19's Impact on Democracy and Human Rights, 2020a, accessed 19 October 2020.

FIGURE 7

Number of concerning developments by country in Europe



Source: International IDEA, Global Monitor of COVID-19's Impact on Democracy and Human Rights, 2020a, accessed 19 October 2020.

BOX 1

Overview of states of emergency in Europe

Between March and August 2020, more than half (57 per cent or 26 countries) of countries in Europe declared a national emergency (state of emergency or SoE) to combat the pandemic, allowing them to temporarily restrict basic freedoms with the aim of curbing the spread of the virus. After Latin America and the Caribbean, and Africa, Europe is therefore the region with the largest share of countries imposing COVID-19-related SoEs. However, some countries adopted restrictive measures without declaring SoEs, by using their existing legislation. This did not prevent them from using stringent measures to curb the virus. For instance, according to the Blavatnik School of Government's COVID-19 Government Response Stringency Index, Croatia and Cyprus had some of the most stringent responses globally, without having declared an SoE (Hale et al. 2020).

FIGURE 8

Countries with SoEs or other emergency measures in place between March and August 2020



Source: International IDEA, *Global Monitor of COVID-19's Impact on Democracy and Human Rights*, 2020a, accessed 19 October 2020.

By September 2020, 74 per cent of the countries in Europe that had declared a national emergency had lifted them, with some replacing the SoE with other legal mechanisms allowing for more decentralized responses to outbreaks. Yet, with the second wave of the virus ravaging Europe in the autumn of 2020, several countries that had lifted their national emergency then re-imposed one. This includes Czechia, France, Slovakia and Spain.

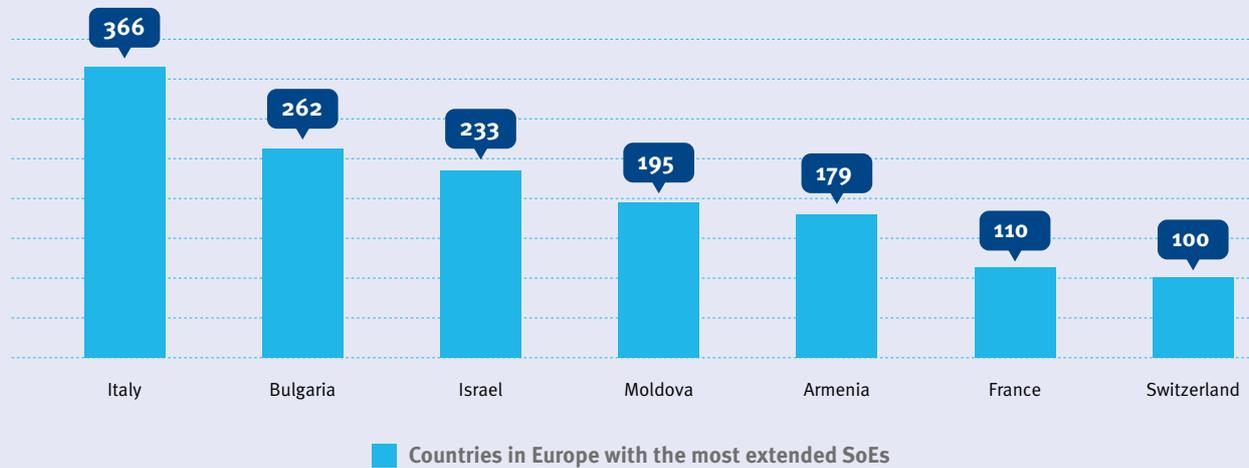
Several countries in Europe (a total of 11) have sought derogations from international human rights standards, such as the European Convention on Human Rights and the International Covenant for Civil and Political Rights, in their SoE. This diversity of measures is underpinned by a specific combination of national legal, institutional, social and economic complexities in each country; however, the adoption of a particular type of emergency regime is not an indication of the degree of compliance to good practice standards for addressing such situations and does not determine the severity of the emergency powers in place (OSCE ODIHR

2020b). Where derogations have been sought, this is due to the specific legal frameworks of those countries, and as a means to avoid legal clashes with signed conventions. A total of 10 countries have not sought derogations from international human rights norms, even after approving and declaring emergency powers.

The duration of the COVID-19 SoEs varies greatly in Europe. Whereas most have lasted between 45 and 90 days, some outliers are found in the region. The longest SoE still in effect is Italy's, which has been extended twice and is 1 year long, expiring in January 2021. Other SoEs in the region that are more than 100 days long and still in effect are Bulgaria's and Israel's. With the second wave of the virus ravaging Europe in the last quarter of 2020, these numbers are still bound to change. Given the fact that SoEs concentrate decision-making in the executive, long SoEs might potentially weaken parliamentary oversight of the executive's use of emergency powers.

FIGURE 9

Countries in Europe with the most extended number of days of SoEs



Source: International IDEA, Global Monitor of COVID-19's Impact on Democracy and Human Rights, 2020a, accessed 19 October 2020.



3.1.1. Representative Government



Challenge 1. Disruption of election cycles

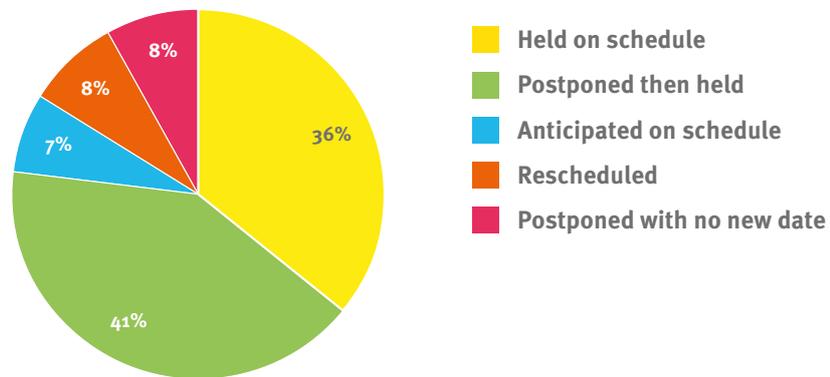
A total of 7 national elections, 5 referendums and 17 local and regional elections have been postponed in Europe since the beginning of the pandemic

The decision whether to hold or postpone elections during a pandemic is based on several considerations, as officials grapple with the challenges of the situation. First, holding elections as originally scheduled may jeopardize public health and safety. Special voting arrangements may become necessary to ensure voter safety, creating new challenges to the transparency of the electoral process, and adding financial and administrative pressures. Moreover, the scaling up of often untested voting measures places strain on resource and infrastructure needs, and introduces new logistical and integrity challenges and vulnerabilities. Pandemic restrictions on movement and assembly also present challenges for campaigning and fundraising. Taken together, these factors may well result in significant operational complications and delays (International IDEA 2020e).

Similar to the global trend, the electoral landscape of Europe has been greatly disrupted by the pandemic, with more countries postponing than holding their elections on schedule in an attempt to address public health risks arising from the ongoing pandemic. A total of 7 national elections, 5 referendums and 17 local and regional elections have been postponed in Europe since the beginning of the pandemic. All the postponed national elections have been held at a later date except 1, aimed at electing France's overseas advisors and consular delegates to the Senate. At the local and regional level, of the 17 postponed elections, 11 have taken place, whereas 4 are projected to take place in the coming months. There are 2 local and regional elections (1 in the Isle of Man and a mayor election in Kosovo) that have been postponed without date. Of the 5 postponed referendums, 3 have been held at a later date, 1 has no new date (UK territory of Gibraltar) and 1 has been cancelled and substituted by a parliamentary voting procedure (Armenia). In total, 14 national elections and 11 local and regional elections have been held on schedule in Europe since the pandemic, including elections in Belarus, Croatia, Georgia and Slovakia.

FIGURE 10

Elections in Europe during the COVID-19 pandemic



Source: International IDEA, 'Global overview of COVID-19: Impact on elections', 18 March 2020c, accessed 10 October 2020.

In order to avoid crowded polling stations on election day, many governments and electoral management bodies have adopted new, or have scaled up existing, special voting arrangements, such as early, postal and mobile voting, some of which required new legislation. France, Ireland and Spain are examples of some of the countries where such measures were implemented. While such measures may help to ease election processes, in certain cases there are concerns related to good practice standards, such as the stability of the election legislation, the inclusive and democratic nature of the law-making process, and the autonomy of the electoral management bodies and their independence from the political pressure of an incumbent party in power (Council of Europe 2020b).

The challenges that different electoral management bodies and governments have faced in either postponing or organizing elections are unprecedented. A good example of these challenges is found in Spain's regional elections held in July. In these elections, COVID-19-positive individuals were warned that they would be prosecuted as a danger to public health if they showed up to vote in person. The regulation was later confirmed by the national electoral management body (El Confidencial 2020).

Voter turnout for elections held during the pandemic varied across the region. In the national elections of Israel, Montenegro, Poland and Slovakia, voter turnout increased, compared with the average voter turnout over the last 10 years, whereas it decreased in the elections in Belarus, Croatia, Iceland, North Macedonia and Serbia, on the same comparison. The regional elections in the Basque Country and Galicia in Spain are interesting cases. These elections were postponed and then held a few weeks after the original date. Whereas in Galicia the voter turnout increased, compared with the 10-year average, in the Basque Country it decreased. Both elections took place at the same time and under very similar conditions in terms of infection rates. Although each region had some autonomy in setting up the elections, the legal framework and the special provisions in place to allow for safe voting were nearly identical in both regions. This may indicate that voter turnout is not solely determined by the pandemic, but also by the factors that usually affect voter turnout in non-pandemic times.

A key risk of the disruption of electoral processes is that incumbent parties in power may attempt to misuse these extraordinary conditions to obtain unfair political and electoral benefits. There were 2 backsliding countries in Europe—Poland and Serbia—that held their national elections amid the pandemic, further entrenching the ruling parties' grip on power through electoral means. Both elections were postponed and then held. In **Poland**, in a disputed and politically divided process, the government and the election administration continued to prepare to hold presidential

elections using only postal voting, until several days ahead of the planned vote on 10 May 2020, when the ruling coalition abandoned the plan (International IDEA 2020d). This proposal did not enjoy broad political support and was rushed through parliament using the ruling party's majority (Law and Justice (PiS) party). Moreover, the government adopted an amendment removing from the National Election Commission the powers of designing and printing ballots. These moves were criticized by the Council of Europe, expressing concern that the current circumstances surrounding preparations for the elections would 'undermine the legitimacy of the electoral process, and as a result undermine the legitimacy of the new President-elect, irrespective of their outcome' (Council of Europe 2020b). Later, the all-postal voting formerly proposed was modified to provide all voters with the options of postal and in-person voting. The presidential election was finally held on 28 June (first round) and 12 July (second round), with a narrow win (51.2 per cent) for the incumbent candidate Andrzej Duda, backed by the governing PiS party (*The Guardian* 2020).

In the case of **Serbia**, the election was marred by the opposition's boycott and the use of state institutions by the ruling party. The ruling party campaign meshed with media coverage of the president and governmental response to the pandemic (OSCE ODIHR 2020a). Moreover, the opposition received mainly negative coverage by most media outlets, whereas the coverage of the government was mostly neutral (CRTA 2020).

Another example of how the pandemic-caused disruption to electoral processes has presented an opportunity for ruling parties is found in the hybrid regime of **Russia** and the country-wide vote on constitutional amendment held on 1 July 2020. The vote—which, among other things, paved the way for the President to remain in power for more than 2 terms—was held under new conditions, as a Presidential Order on 14 February established the procedure as an 'all-Russia vote'. Unlike with a referendum, an all-Russia vote lacks a turnout threshold, can be called by the President, asks voters to vote on all changes as a package, and provides for different regulations on the campaigning and conduct of voting (Eckel 2020). Around 80 per cent of voters voted in advance, and a significant share applied to vote from home. The voting methods used were widely criticized, since both home and advance voting allow for greater opportunities for vote-buying and intimidation and are harder to monitor, and the independent watchdog 'Golos' reported a wide array of instances of election misconduct (Golos 2020). The group claims that the vote on constitutional amendments failed to meet more than 30 international norms and recommendations on voting (Golos 2020). The vote has served to further strengthen President Putin's hold on power.

BOX 2

Elections in Belarus

In the authoritarian regime of Belarus, presidential elections were held on 9 August 2020. They have been widely criticized by international observers as neither free nor fair. In the weeks preceding the election, there were large rallies against incumbent Alexander Lukashenko, who has been in power since 1994. Protests were met with a crackdown by authorities on both protesters and the journalists covering the protests. The 3 main opposition candidates were either arrested or barred from registering to vote. Svetlana Tikhanovskaya, wife of imprisoned opposition leader Sergei Tikhanovsky, stood as one of the opposition candidates and has since become the face of the opposition. The campaign period was characterized by skewed media coverage in favour of the incumbent, and continued crackdowns on civil society and journalists. Notably, the Organization for Security and Co-operation in Europe (OSCE) was unable to observe the election. Amid widespread allegations of vote-rigging and independent observations of gross violations of electoral conduct (Eastern Partnership Civil Society Forum 2020), the official results gave President Lukashenko 80.10 per cent of the vote, with Tikhanovskaya receiving only 10.12 per cent. These results have been widely condemned by the opposition, independent civic groups in Belarus and the international community, with actors from the EU to the United States to the Council of Europe condemning the elections as neither free nor fair and calling for new elections to be held (Ilyushina and John 2020). Meanwhile, protesters continued to demonstrate in Minsk after the elections. The mass demonstrations gained more supporters, and protest also took place in other regions and cities. Police and security forces have continuously used disproportionate means and outright violence against protesters, with thousands of demonstrators and civic activists being arrested (Euronews 2020a and 2020b). As of January 2021, Lukashenko did not seem ready to heed the calls for a new election.



3.1.2. Fundamental Rights



Challenge 2. Curtailments of Civil Liberties

Almost all countries in Europe (93 per cent) imposed national or regional ‘stay-at-home’ restrictions at some point during the pandemic, particularly in the first wave

The pandemic poses the risk of deepening the negative trends seen in civil liberties in Europe over the last few years. As in most other regions, **freedom of movement** and **freedom of association and assembly** have been restricted across Europe during the pandemic, in order to limit the spread of the virus. Almost all countries in Europe (93 per cent) imposed national or regional ‘stay-at-home’ restrictions at some point during the pandemic, particularly in the first wave. The stringency of the stay-at-home instruction varied greatly from country to country, but in all it involved a requirement to remain at home and only leave for essential circumstances (Hale et al. 2020). Some countries, such as Belgium, France, Ireland, Israel, Spain and the UK, have re-imposed lockdowns in the autumn of 2020 to stop the second wave of the pandemic. Belarus, Iceland and Sweden are the only 3 countries not imposing any kind of mandatory stay-at-home restrictions, although Iceland imposed an aggressive testing and tracing policy, which also included strict quarantine measures (Hsieh and Child 2020). Sweden’s strategy has relied on voluntary recommendations, and although no mandatory stay-at-home requirement has been imposed, travel restrictions and limits on public assembly have been in place. Since January 2021, restrictions have also been put in place to restrict crowding in shops and indoor commercial centres.

Although in most countries such measures have been taken in accordance with national legislation, there have also been concerning developments in some countries—for example, Azerbaijan and Serbia—where authorities have arrested or used excessive force on protesters.

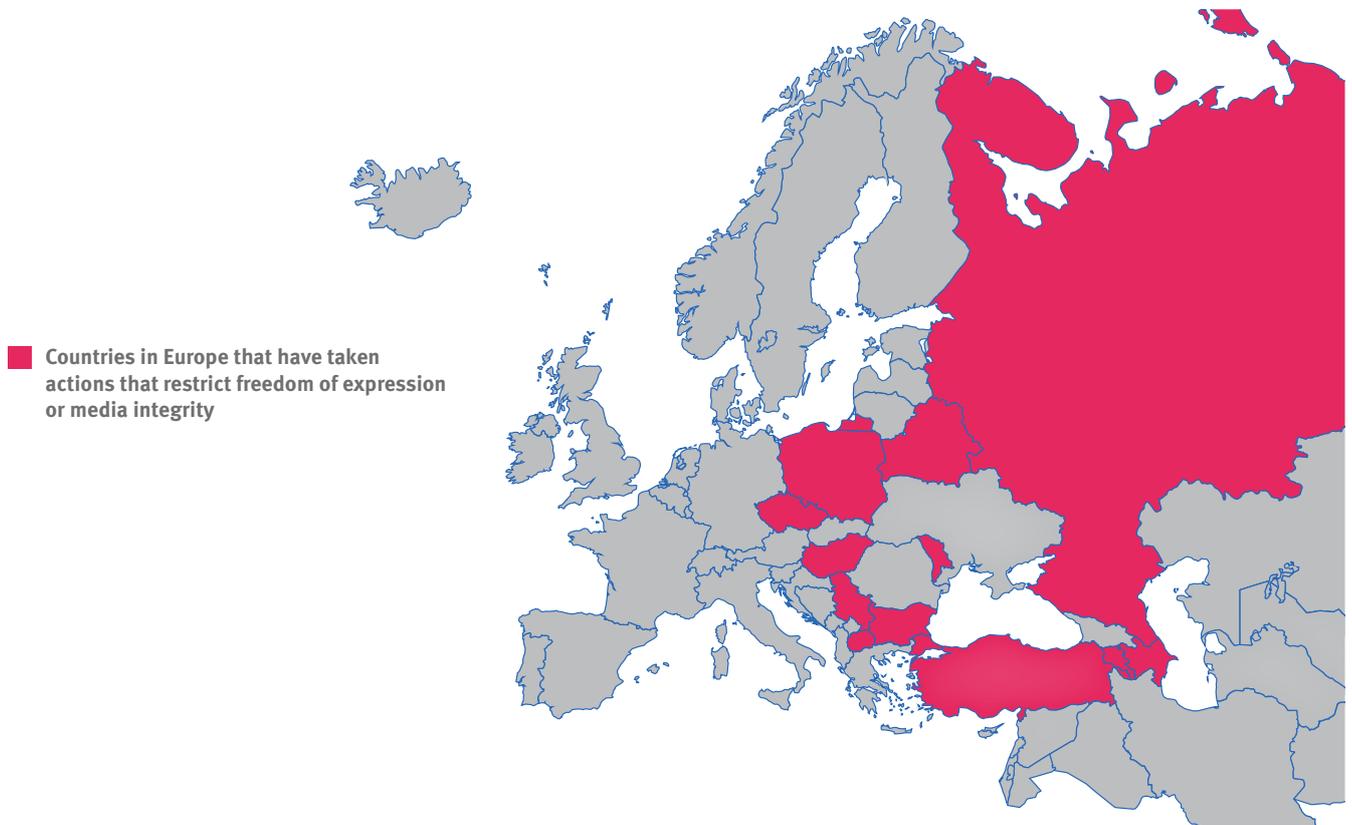


At least 16 countries in Europe (36 per cent) have passed laws or taken actions that restrict freedom of expression or curtail media integrity

Freedom of expression was already under strain in Europe, especially Eastern Europe, prior to the pandemic and has continued to suffer during the health crisis. At least 16 countries in Europe (36 per cent) have passed laws or taken actions that restrict freedom of expression or curtail media integrity. There are 5 countries—Bosnia and Herzegovina, Hungary, Russia, Serbia and Turkey—that have passed new disinformation laws during the pandemic. Concerning developments include, for example, the arrests of journalists and critics reporting on the pandemic in Azerbaijan, Belarus, Russia and Turkey (Article 19 2020a). In **Russia**, human rights organizations have also raised concerns about continuous harassment of journalists reporting on the government handling of the pandemic (HRW 2020b). In **Moldova**, doctors have been threatened with criminal cases (Rata 2020). The **Serbian** Government passed a decree centralizing pandemic information flows and making journalists liable for prosecution for the ‘use of unofficial sources’. At least 1 journalist has been arrested under this decree for reporting on the pandemic. The decree was then reversed by the prime minister and the journalist released (Stojanovic 2020). However, there have still been reports of journalists prevented from attending press conferences or obtaining information from Serbian health authorities (Council of Europe 2020a). **Turkey** passed a new social media law in July 2020, which has raised concerns about censorship and surveillance of social media platforms in the country (DW 2020b). All these developments should be of great concern for the region and will further weaken freedom of expression, already under threat prior to the pandemic in a number of countries across Europe, especially in Eastern Europe.

FIGURE 11

Countries in Europe that have taken actions that restrict freedom of expression or media integrity

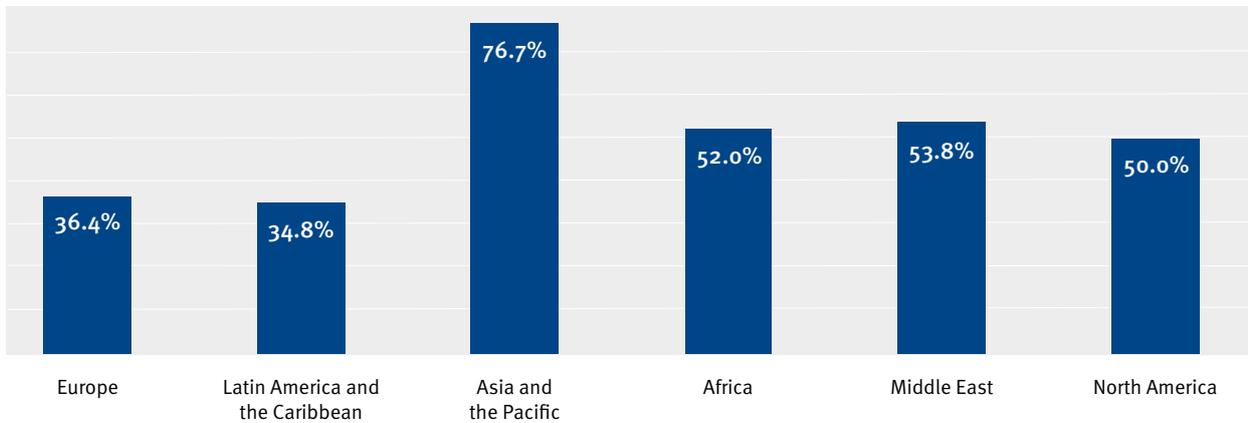


Source: International IDEA, *Global Monitor of COVID-19's Impact on Democracy and Human Rights*, 2020a, accessed 19 October 2020.

While temporary derogations from certain democratic freedoms can be considered acceptable in times of emergency, freedom of expression specifically is closely interconnected with freedom of opinion, and for that reason any curtailment of it may be considered to be a breach of norms and rights, even in an emergency (OSCE ODIHR 2020b). Moreover, in the pandemic context, where parliaments may not be able to effectively exercise their oversight functions, the oversight provided by media outlets and civil society is especially important (OSCE ODIHR 2020b). The European Commission has also identified a COVID-19 ‘infodemic’ in Europe, whereby dangerous disinformation has spread in the form of hoaxes, misleading healthcare information or claims, conspiracy theories, illegal hate speech, consumer fraud, cybercrime, and undue foreign influence (European Commission 2020a). These challenges underline the importance of fact checking, free exchange of information and a diverse media.

FIGURE 12

Percentage of countries restricting freedom of expression or media integrity per region



Source: International IDEA, *Global Monitor of COVID-19's Impact on Democracy and Human Rights*, 2020a, accessed 19 October 2020.

BOX 3

Restrictions on freedom of expression and media in Europe during the pandemic

In **Hungary**, the Emergency Act XII of 2020 has raised widespread concerns over limitations on freedom of expression and media integrity. An amendment was entered into the Penal Code for the crime of ‘scaremongering’, with an overly broad definition. The amendment punishes with jail time of between 1 and 5 years an act which, ‘during the term of a special legal order voices or publishes before the public at large a statement one knows to be false or with a reckless disregard for its truth or falsity in a way which is capable of hindering or foiling the effectiveness of the containment effort’. Journalists working in Hungary have also expressed concern about what this measure will mean for their work, particularly since they must often rely on protecting anonymous sources, which may now be accused of spreading false information (DW 2020a). This measure has been denounced by human rights organizations as unjustified, disproportionate and offering ‘the spectre of a power grab’ (Gall 2020).

In **Serbia**, limits were placed on access to public information, freedom of expression and media, as the government centralized information flows regarding the pandemic, and limited or otherwise prevented access by journalists and the media to investigate. There have been reports of journalists being prevented from attending press conferences, obtaining information from health authorities, and documenting the operations of law enforcement officials (Council of Europe 2020a). Journalists have also faced harassment and death threats over their coverage of the pandemic (Wiseman 2020; Fol Online 2020).

In **Moldova**, in early March the Audiovisual Council issued a decree obliging all media to refrain from printing or broadcasting ‘opinion’ and to convey only the position of official authorities during the state of emergency (Consiliul Audiovizualului 2020a). The decision obliged journalists to ‘unilaterally renounce formulating their own opinion or other arbitrary opinions in reflecting on topics concerning the COVID-19 pandemic’. The order was annulled shortly after its adoption, under concerted national and international pressure from journalists and media outlets (Consiliul Audiovizualului 2020b).

In **Azerbaijan**, where freedom of expression and access to information

have been suppressed for decades, the law on information was amended to prohibit the publication of ‘false information’. The law requires owners of online news outlets to prevent the publication of such information.

In **Russia**, there are growing concerns that the government is stepping up control of domestic reporting on the COVID-19 outbreak. In April, President Putin approved 2 laws which impose harsh penalties on media organizations and individuals for spreading ‘knowingly false information’ related to emergencies. This legislation comes on top of the existing prohibition of ‘false information’ (Lenizdad 2020). Prominent Russian journalist and Moscow district councillor, Ilya Azar, was sentenced in May to 15 days in administrative detention for holding a solitary protest outside the Moscow police headquarters (HRW 2020b). As many as 9 journalists were detained for holding single-person pickets in support of Azar (HRW 2020b). The OSCE in May made a statement of concern over restrictions on media and journalist activities, citing disproportionate website blocking and harassment and/or pressure of journalists by police and law enforcement (OSCE 2020).

In **Belarus**, a widely condemned presidential election in August intensified harassment and clampdowns on journalists. In March, Siarhei Satsuk, chief editor of the Yezhednevnik news website, was placed in detention for publishing a story on how Belarussian authorities have covered up information related to the COVID-19 outbreak in the country (Article 19 2020a). Undue removal of press credentials and arbitrary arrests of and violence against journalists have continued throughout the year, and been widely condemned (HRW 2020a; Kuzmina 2020; USAGM 2020; Wilson 2020).

In **Turkey**, the authorities’ actions to curtail freedom of speech have been of particular concern, including issuing administrative fines against journalists and commentators expressing criticism against the handling of the pandemic by the government. Measures introduced for large social media platforms, requiring that they comply with the orders of Turkish authorities to remove certain content and requirements to store data locally, are of serious concern (DW 2020b).



Personal
Integrity
and Security

At least **28** countries in Europe (**64** per cent) have used contact tracing apps or mobile data to trace the spread of COVID-19

Challenge 3. Contact tracing apps and the rights to privacy

At least 28 countries in Europe (64 per cent) have used contact tracing apps or mobile data to trace the spread of COVID-19. From very early in the pandemic, contact tracing was identified as an essential measure to fight the spread of COVID-19. According to the European Centre for Disease Prevention and Control, contact tracing is achieved through ‘the prompt identification of contacts of a probable or confirmed case of COVID-19’ (ECDC 2020). This precipitated a need to use information technology, social media, apps and other data-gathering mechanisms as ways of fighting this disease, and other risks in the future. In theory, the use of apps is meant to protect users’ privacy while providing preventative measures against infection. According to the European Commission, at least in the European Union, most uses of contact tracing apps follow the most widely accepted privacy standards, such as DP-3T and the Exposure Notification API (European Commission 2020b). In addition, 66 per cent of the contact tracing apps used in the EU have made their source code publicly available. This allows these apps to fulfil the recommendations of the European Parliament, namely the compliance with data protection and privacy legislation, transparency about potential commercial interests linked to the app, their voluntary rather than compulsory nature, an emphasis on anonymized data, their temporary nature and not storing data in centralized databases to limit potential abuse (European Parliament 2020).

Yet, the deployment of some of these contact-tracing apps has not been as satisfactory as expected, in many cases lacking sufficient uptake to render them useful, and with privacy concerns raised in some countries, including Norway and the UK (The Local 2020). In Portugal, the contact tracing app was not available for nearly 10 per cent of mobile phone users due to software incompatibility, and in Denmark the criteria used by the app for tracing was different from that used by the Danish Ministry of Health (The Local 2020). In the case of Norway, the contact tracing app launched by the government, Smittestopp, was widely criticized for its capacity to gather data and track users’ locations (Amnesty International 2020a). As a result, Norway’s data protection authority decided to discontinue using the Smittestopp app (Nikel 2020). In France, a second app, TousAntiCovid, was launched by the government after the criticism faced by the previous app regarding privacy and efficiency (Government of France 2020). This new app still uses centralized data storage, which is potentially more risky from a privacy perspective if the integrity of the storage is compromised (Corbet and Chan 2020).



Gender
Equality

Challenge 4. Increase in gender inequality and gender-based violence

The pandemic crisis has exacerbated many of the existing gender inequalities in Europe, and the many lockdowns have led to an increase in gender-based domestic violence in many countries. Throughout Europe, women were more economically vulnerable than men before the pandemic, and the economic consequences of the pandemic will most likely be more acute for women. For instance, 26 per cent of women working in Europe have precarious jobs (ESRI 2019), compared with 15 per cent of men (ESRI 2019). Also, unpaid care work is still predominantly done by women, which has increased the economic vulnerability of women in Europe during the pandemic, as they bear the burden of care for children and elderly during lockdowns, reducing their capacity to maintain a work–life balance during uncertain times and, in some cases, putting their livelihood at risk (Mascherini and Bisello 2020).

Lockdowns have in many countries led to a surge in domestic gender-based violence. For example, in **Serbia** a threefold increase in women seeking help due to domestic violence was reported during the lockdown. Nearly all callers cited the state of emergency, isolation or curfew as ‘affecting the intensity of the violence they are now suffering’ (Balkan Insight 2020b). Also, in **Ukraine** there

was a 30 per cent rise in calls to the domestic violence helpline since the start of the nationwide quarantine. To help combat domestic violence, the National Police of Ukraine have released 'guidelines for victims during quarantine' (OECD 2020b). In the **UK**, Human Rights Watch criticized the authorities for failing domestic abuse victims during the pandemic. Their failure to ratify the long-awaited Domestic Abuse Bill and the marked increase in reports of domestic violence during the pandemic are cited, among other reasons (HRW 2020c). Cases are likely to spike again during the second-wave national lockdown imposed since November 2020.



Challenge 5. Risk posed to vulnerable groups

Governments' actions against the pandemic might, at times, have led to discriminatory practices against minority and vulnerable groups across Europe. In countries such as France, Germany and the Netherlands, some human rights groups have said that governments have not always paid sufficient care and attention to migrants (including migrant minors), the homeless or prison inmates, to protect them from COVID-19 transmission (Williamson 2020). In some countries, such as Slovakia and Bulgaria, human rights organizations have expressed concern over the discriminatory application of quarantine enforcement measures towards Roma communities.

A clear impact of the pandemic has been felt among immigrant communities, refugees and asylum seekers. The process of asylum-seeking has been acutely affected by the pandemic, with application processing disrupted (EU FRA 2020). In several countries, asylum seekers have not had access to COVID-19-related information, such as in Austria or Germany (EU FRA 2020). Other countries, such as Italy, Poland and Spain, have had to create special legal frameworks to allow asylum seekers to stay in the country beyond the legal limits, due to the pandemic, or to make sure foreign temporary workers are legally resident in the country (EU FRA 2020). In **Sweden**, many school-aged asylum seekers did not have access to the Internet in asylum centres, depriving them of the possibility of continuing their formal education (EU FRA 2020). Also, in Sweden, the immigrant communities, often living in more cramped conditions and inadequately reached by early COVID-19 information campaigns, saw significantly higher excess mortality rates (attributed to COVID-19) in the early phases of the pandemic (Sveriges Radio 2020).

In other cases around the continent, other vulnerable groups, such as homeless, immigrants or people suffering from other types of discrimination, have been disproportionately affected by the pandemic. In **Germany**, Human Rights Watch underlined in March the needs of homeless people during a pandemic and mentioned that—for example, in Berlin—the city government's emergency plan was not sufficient to respond to everyone's needs (Williamson 2020). A report by Amnesty International (2020b) stated that **France** was one of the countries where the measures against the pandemic have impacted disproportionately upon the individuals and groups who experience stereotyping, discrimination and violence due to race, ethnicity, religion and/or migration status. The same report also singled out **Slovakia** and **Bulgaria** for their treatment of the Roma community in their settlements, where mandatory quarantines were imposed (Amnesty International 2020b; UN OHCHR 2020).



Basic
Welfare

Challenge 6. An unprecedented economic crisis will test Europe's social contract

The economic impact of the measures adopted to curb the pandemic will be unprecedented, even in comparison with the 2008 financial crisis. According to forecasts by the Organisation for Economic Co-operation and Development, all the economies of Europe will shrink in 2020, primarily because of the pandemic (OECD 2020a). The International Monetary Fund (IMF) calculates that real GDP in Europe fell by 40 per cent between March and June 2020 (IMF 2020). Even though extensive measures to protect employment and the most vulnerable groups of society have cushioned the economic impact to some degree, it will still be direly felt throughout the region (IMF 2020). In the immediate future, all governments will most likely have to deal with challenging economic scenarios, such as increasing unemployment, which might result in further pressures to democratic systems (European Central Bank n.d.; IMF 2020). Profound economic crises have always had a significant impact on European political systems (Krippner 2011; Morlino and Quaranta 2016). From the rise of the welfare state after World War II to the increased financialization of the economy after the economic crisis of the 1970s or the disruption of many political party systems after the 2008 financial crisis, economic crises have shaped Europe's political systems (Morlino and Quaranta 2016). One of the effects of the 2008 financial crisis and the subsequent sovereign debt crisis of 2010–2012 was the rise of many anti-establishment or anti-mainstream parties, nationalist, populist or far-right parties in Europe (Bosco and Verney 2012). Although not always negative, many of these parties have been at the centre of increasing polarization in Europe and have acted to destabilize long-established party systems. It is plausible to infer that the rise of new parties and party models will place a strain on existing party systems and their ability to form stable government coalitions. This might, on the one hand, increase popular demands for accountability, but on the other hand, it could increase disenchantment with institutionalized politics. Varying degrees of economic fallout and performance by EU member states, as well as the contentious process of the EU budget negotiations including the post-COVID-19 economic stimulus package, may further continue and intensify the divergence between various subregions in Europe. These processes and their potential consequences for political systems in Europe will pose a challenge to the resilience of its democracies.



Checks on
Government

3.1.3. Checks on Government

Challenge 7. Executive aggrandizement and weakened parliamentary oversight



Effective
Parliament

The role of parliaments in the pandemic is not often considered, but their responsibility as a legislative and oversight body in democracies makes them fundamental. Ideally, parliaments should be able to exercise scrutiny and vote on the implementation and renewal of emergency powers, and oversee the actions of government under these emergency powers. When parliamentary oversight of government is curtailed, the government effectively runs unchecked, increasing the risk of executive aggrandizement.

In **Serbia**, the executive branch and the president were criticized for bypassing the national assembly when declaring the SoE, which gave the president sweeping emergency powers. Parliament was only able to meet and approve the emergency legislation adopted by the government 40 days after the SoE was declared (Civil Rights Defenders 2020). In **Hungary**, at the outset of the pandemic, the ruling majority, the Fidesz party, voted to allow Prime Minister Victor Orbán to rule by decree without a set time limit, raising fears that the lack of a set time limit would enable misuse of emergency powers by the executive when unchecked by the parliament (Walker 2020). Later, in mid-June, the parliament voted to lift the emergency regime, but also approved a new legislation providing the executive with the possibility to rule by decree in case of need with significantly less parliamentary

controls (Euroactiv 2020). In **Romania**, the Constitutional Court ruled in June 2020 that there is no need for the parliament's approval to declare or extend the state of alert (Romania Journal 2020).

As countries in the region are facing a second wave of the pandemic, with some countries re-imposing SoEs, diverse voices from civil society and politics have called out the need for these to go through proper parliamentary debate and scrutiny. In **Ireland**, for instance, the government suggested having only a 45-minute parliamentary debate on new emergency powers to fight the second wave of the pandemic, which was later extended after protest from the opposition and civil society (Horgan-Jones 2020). Similarly, in **Spain**, the government proposed a 6-month 'State of Alarm' to fight the second wave of the pandemic, which had critics worried about potentially weakening parliamentary oversight by its use (*El Pais* 2020). The State of Alarm was approved by most parliamentary groups for 6 months, under the condition of requiring the regular appearance of the president in front of parliament to explain their ongoing activities (*El Pais* 2020).



3.1.4. Impartial Administration

Challenge 8. Corruption cases



The pandemic has provided additional avenues for corruption, stemming in particular from the often large sums of money involved in contracts for the supply of health-related equipment or infrastructure—for example, ventilators, masks and protective gear—as well as irregularities in procurement processes and the payment of medical equipment. The pandemic has given rise to a number of alleged or confirmed instances of corruption in at least 6 countries in Europe: Azerbaijan, Czechia, Georgia, Hungary, Italy and Poland. In **Azerbaijan**, the mandatory contact tracing app has led to illegal issuance of movement permits (Global Voices 2020). In **Czechia**, there was public anger when it transpired that Prime Minister Andrej Babiš used an emergency meeting to push through an amendment to anti-corruption legislation, which could potentially aid him in the investigation of his conflict of interest in relation to receiving EU funds (Balkan Insight 2020a). In **Georgia**, corruption watchdogs have raised concerns regarding risks of corruption during simplified public procurement tenders related to the state response to the COVID-19 crisis. At least 1 report suggested that there was a suspicion of corruption associated with the issuing of a state contract for operating a quarantine zone at the premises of a hotel, owned by individuals known to be financial donors to the ruling party (Transparency International 2020). In **Hungary**, there have been reports of alleged corrupt practices where Fidesz's party supporters have benefited in public procurement processes during 2020, particularly in non-competitive bids (CRCB 2020). In **Italy**, the Governor of the Lombardy region, Attilio Fontana, was accused of fraud by an investigation conducted by journalists from public broadcaster, RAI3. Magistrates are investigating his involvement in the purchase of medical supplies from a company owned by his brother-in-law (Reuters 2020). In **Poland**, the health minister, Lukasz Szumowski, has faced allegations of cronyism in relation to the purchase of medical equipment to fight the pandemic (Kość 2020).



3.1.5. Participatory Engagement



Challenge 9. Local versus central governance competences and responsibilities

In times of crises such as the current pandemic, effective and efficient decision-making can be dependent not just on the governance structure that is in place, but also on the coordination and communication between different levels of government. Many countries in Europe have transferred much of the management of the pandemic to regional and local governments, and in other cases, such as in Belgium, the federal government has led the response to the virus, even taking decisions that formally fall within the authority of the regions (Bouhon et al. 2020).

In Italy and Spain, the 2 countries to experience initial outbreaks of the virus in Europe, public health system management is a regional responsibility. This implies that the regional government, and not the central one, takes most of the decisions about public health. This might be a factor in explaining the diverse incidence of the virus in Lombardy and Veneto in **Italy**, 2 similar regions in terms of demography and resources, but experiencing very different impacts of the pandemic. In **Spain**, regional competences were suspended with the State of Alarm, to be devolved to the regions after the lifting and being taken back again for the case of the region of Madrid in order to impose the needed measures to curb the second wave of the pandemic in the autumn of 2020.

On the other hand, in Germany a locally managed health system seems to have contributed to the successful testing and tracing strategy (Wieler, Rexroth and Gottschalk 2020). Yet, even in the case of Germany, the federal state of Bavaria assessed that the federal legislation to curb the pandemic was not sufficient and passed additional laws (Ginsburg and Versteeg 2020). Other countries such as Sweden have implemented diverse regional responses to the pandemic, which in turn has had differing degrees of success on the spread and containment of the virus in different regions. For instance, a southern region of Sweden, Skåne, had during the first wave seen lower death rates than the rest of the country, potentially due to their faster reaction times and to introducing some extra measures such as translating information in diverse languages for migrant communities (Hansson 2020).



3.2. Opportunities for democracy



Opportunity 1. Electoral resilience (safe, inclusive and clean elections)

Despite the challenges brought forth by the pandemic, the region of Europe has proven to be a testing ground for the resilience of elections. There have been examples of resilient and resourceful electoral management bodies and citizens who have adapted to new conditions in short timeframes. For those countries that have gone ahead with elections during the pandemic, governments and electoral management bodies have adopted new, or have scaled up existing, special voting arrangements, such as early, postal and mobile voting.

For example, local elections were held in **Germany** in the federal state of Bavaria, with the first round conducted through in-person and postal voting on 15 March 2020, and the second round conducted solely through postal voting on 29 March 2020. The first round was held with only minor adjustments to the electoral process, which included social distancing regulations, hygiene standards and greater flexibility in postal voting. Postal voting provisions in Bavaria allow voters to apply to vote by post without providing any reason, and up until election day. The decision to conduct the second round through all-postal voting was taken through discussions that included all political parties in the state parliament. Ballot papers were sent to voters automatically, to be returned via post, with no prior registration required and no other options for voting provided. The Bavarian Ministry of the Interior also worked closely with the Deutsche Post, creating a special agreement that ensured that ballot papers would be received in time. Turnout in both rounds was slightly higher than in the previous local elections, at 58.8 per cent and 59.5 per cent respectively (Schwarz 2020).

Other successful examples are seen in Ireland and Iceland. In **Ireland**, the Seanad Éireann elections were held as planned on 30–31 March 2020. Prior to the elections, the government drew up a detailed plan on how to hold a general election in the midst of the COVID-19 crisis—including spreading voting over a number of days, giving ‘cocooners’ a postal vote and allowing polling in nursing homes (Kelly 2020). Voter turnout was only 2.2 per cent below the previous election, but in line with a decreasing voter turnout in recent Irish general elections. In **Iceland**, the electoral management body made it possible for citizens to register their endorsement of presidential candidates both electronically and on paper. The new electronic registration system is a response to the public ban on assembly during the COVID-19 emergency. In the presidential election rescheduled for 27 June 2020, the incumbent, Guðni Th. Jóhannesson, won his second 4-year term with 92 per cent of the popular vote (High North News 2020). However, the turnout, at 66.9 per cent, was significantly lower than in the previous presidential election of 2016, in which turnout was 75.6 per cent.

Opportunity 2. Digitalization and adaptation have surged in Europe

What the pandemic crisis has also brought forth is an acceleration of digitalization across much of Europe’s legislative chambers, as well as a significant adaptation to the unprecedented circumstances to allow for continuity of legislative activity. Parliaments in some countries, such as Finland, Greece, Israel, Romania, Spain and the UK, have made great strides towards facilitating virtual meetings of committees and other parliamentary groups, as well as to amend their rules of procedures to allow for remote sessions in times of crises (INTER PARES 2020a). Although moving to virtual work has been a strategy in many cases, several parliaments in Europe have chosen to come up with mitigation

strategies instead. These mitigation strategies mean, for instance, parliaments moving to meetings in much larger facilities to achieve social distance or reducing the number of MPs while maintaining the arithmetic proportionality of the chamber (INTER PARES 2020b). Also, the utilization of technology, for instance, has enabled countries to fast-track parliamentary or judiciary procedures from a distance. This has allowed parliaments to continue to work in most cases in Europe without major disruptions, and to maintain their legislative powers and their capacity to provide a fundamental oversight function during the pandemic.

Opportunity 3. Surge of civic activism

During 2020, the COVID-19 pandemic has seen an eruption of protests all across the region. Every country in Europe has experienced protests during 2020, even factoring in the significant limitations introduced by social distancing and lockdowns. At the same time, civil society has played an important role in complementing efforts to curb the pandemic and support the most vulnerable.

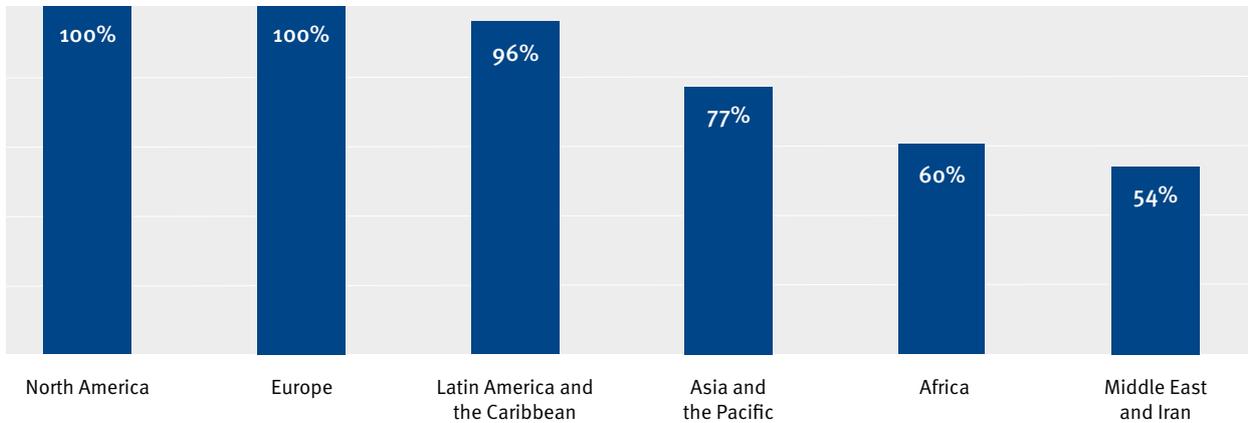
Many protests in diverse countries in Europe have seen the involvement of fringe movements that try to capitalize on the confusion generated by the pandemic, and these are often mobilized through Internet campaigns of disinformation (Specia 2020). Yet, besides these, social activism has continued throughout the pandemic. Some activists have protested about the governments' restrictions intended to curb the spread of the virus, which sometimes they considered to be disproportionate and infringing upon civil liberties. Protests by civil society have been seen in many countries. In **Ireland**, for example, these helped to increase parliamentary scrutiny of the government's emergency powers (Horgan-Jones 2020). In the UK, a diverse grouping of human rights organizations, academics and activists wrote a letter to the prime minister in May, expressing their concerns over the increased surveillance enabled by the COVID-19-related measures (Article 19 2020b). In April in **Israel**, people mobilized in anti-corruption protests, while respecting the physical distancing measures in place against the virus (Rosner 2020).

The COVID-19 era has also ushered in novel forms of social protests and civil society activism. Civil society and social movements continue to galvanize authentic drives for change. In **Poland**, creative forms of protests have emerged during the pandemic that adhere to social distancing guidelines, such as the use of shopping lines for protesting, protests by drivers and cyclists, or shopping at specific places while carrying a black umbrella (ZOIS 2020). The country was rocked by massive protests (some say the largest since the fall of communism) in autumn 2020, in response to a controversial court ruling that would outlaw almost all forms of abortion (*The Guardian* 2020).

The massive protests rocking **Belarus**, while not yet successful in their attempt to put the country on a democratization path, are a clear example of how dissatisfaction with government handling of the pandemic (President Lukashenko has consistently downplayed the risks of COVID-19), in combination with simmering discontent over decades of dictatorship and electoral fraud, has triggered mass mobilization to overturn Europe's only remaining dictator. Political and civic protests, initiated ahead of the August 2020 presidential elections when the authorities arrested several key presidential contenders, have resulted in protests on a scale unprecedented in Belarus's post-Soviet history. Mass protests continued several months after the elections and have been met with a severe crackdown on the opposition leaders and regular protesters. While President Lukashenko was sworn into office based on the official results of the election, the EU and several other countries refused to acknowledge the results of the election and continue to call on Belarusian authorities to seek a peaceful and a democratic resolution to the current crisis through a dialogue with democratic political actors in the opposition.

FIGURE 13

Protests during the COVID-19 pandemic, regional trends (percentage of countries)



Source: International IDEA, *Global Monitor of COVID-19's Impact on Democracy and Human Rights*, 2020a, accessed 19 October 2020.

Conclusion

The state of democracy in Europe when the pandemic hit was very diverse. The region hosts the largest number of high-performing democracies globally. In comparison with the rest of the world, democracy keeps thriving in Europe. Yet, in an increasing number of countries, the quality of democracy has seen significant declines in recent years. More than 50 per cent of democracies in Europe have experienced democratic erosion in the last 5 years, and 3—Hungary, Poland and Serbia—continue to see democratic backsliding, the most severe form of democratic erosion. Of special concern are the declines in civil liberties in the last 10 years and in the freedom and influence of civil society and the rise of far-right parties.

The COVID-19 pandemic has not fundamentally altered the democratic landscape in Europe. It has nevertheless raised important concerns, particularly in countries with pre-existing challenges in their democratic governance. Although Europe has suffered less concerning democratic developments than the rest of the world, its backsliding democracies have put in place a number of worrisome measures. As it has across the globe, the pandemic in Europe seems to have served as an accelerator for authoritarian and illiberal tendencies. In countries where those tendencies are flourishing, the pandemic might pave a clearer path for executive aggrandizement and further democratic backsliding. Freedom of expression and media integrity have also been dealt a serious blow, with a number of governments cracking down on journalists, authorizing arrests of journalists and the closures of media agencies and portals. Moreover, the ensuing economic crisis that is already engulfing the region might have further consequences for the quality of democracy. As pointed out, economic crises are often correlated with democratic backsliding. Taking the 2008 financial crisis as a benchmark, the current economic crisis poses a considerable challenge to the stability of democracies in the region.

Yet Europe has also displayed a tremendous ability for adaptation, solidarity and innovation during the pandemic. Various procedural safeguards for conducting elections with integrity have been noted across the region. Furthermore, parliaments have innovated in the way they conduct their operations, and in many cases have been proactively overseeing government actions under emergency powers. During the crisis, and for most of Europe, democratic institutions and processes have remained resilient. The civic activism—collaborative and constructive but also critical and watchful—has served to keep the governance institutions under democratic check. Last but not least, Europe's enduring

authoritarian regime in Belarus is challenged by unprecedented domestic mass protests demanding democratic change.

It is against this backdrop that Europe will enter a recovery phase that will define the future of the region in the years to come. The way the recovery is decided and implemented, including the willingness of governments to bring about a new, improved social contract with its citizens, will be a defining marker for the future of Europe's democracies.

Abbreviations

GSoD	Global State of Democracy
IMF	International Monetary Fund
OECD	Organisation for Economic Co-operation and Development
OSCE	Organization for Security and Co-operation in Europe
PiS	Law and Justice party, Poland
SoE	State of emergency

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